

Commission Minutes  
July 13, 2021



**IOWA TRANSPORTATION COMMISSION**  
**Meeting Agenda / Commission Orders**

July 13, 2021  
Materials Conference Room  
Ames DOT Complex

ITEM NUMBER	TITLE	SUBMITTED BY	PAGE
1:00 p.m.			
C-2022-1	* Election of Commission Officers	Linda Juckette	3
D-2022-2	* Approve Minutes of the June 8, 2021 Commission Meeting  Commission Comments  DOT Comments	Danielle Madden	4
MV-2022-3	* Administrative Rules - Chapter 400 – Vehicle Registration and Certificate of Title	Melissa Gillett	5
TO-2022-4	* Corridor Preservation Zone Recommendation: I-380 from North Liberty to Cedar Rapids	Garry Harris	8
TO-2022-5	* Corridor Preservation Zone Recommendation: I-80- I-80 around the US 6/169 interchange	Gary Harris	10
FO-2022-6	* Transfer of Jurisdiction: Segments of US 61 to Des Moines County and Mediapolis	Mitchell Dillavou	11
1:10 p.m.	Adjourn		
*Action Item	On Tuesday, July 13, the Commission and staff will meet informally at 9:30 a.m. Transportation-related matters will be discussed but no action will be taken.		

DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Division/Bureau/Office Commission Order No. C-2022-1  
Submitted by Linda Juckette Phone No. 515-239-1919 Meeting Date July 13, 2021  
Title Election of Officers

**DISCUSSION/BACKGROUND:**

As a part of the first meeting on or after July 1 of each year, the Commission is required to take action on the following:

In accordance with Iowa Code section 307A.1A, the “commission shall meet in July of each year for the purpose of electing one of its members as chairperson.” In addition, it is the desire of the Commission that one of its members be designated as vice chairperson to act in the absence of the chairperson.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended Linda Juckette be elected chairperson, and Rich Arnold be elected vice chairperson for the period beginning July 1, 2021, and ending June 30, 2022.

**COMMISSION ACTION:**

Moved by Charese Yanney Seconded by Kathy Fehrman

	Aye	Vote Nay	Pass
Arnold	X	_____	_____
Fehrman	X	_____	_____
Juckette	X	_____	_____
Maher	X	_____	_____
Putney	X	_____	_____
Rielly	X	_____	_____
Yanney	X	_____	_____

\_\_\_\_\_  
Division Director                      Legal                      State Director

DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Division/Bureau/Office Director's Office Order No. D-2022-2  
Submitted by Danielle Madden Phone No. 515-239-1919 Meeting Date July 13, 2021  
Title Approve Minutes of the June 8, 2021 Commission Meeting

**DISCUSSION/BACKGROUND:**

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission approve the minutes of the June 8, 2021 Commission meeting.

**COMMISSION ACTION:**

Moved by Kathy Fehrman Seconded by Charese Yanney

\_\_\_\_\_  
Division Director                      Legal                      State Director

	Aye	Vote Nay	Pass
Arnold	<u>X</u>	_____	_____
Fehrman	<u>X</u>	_____	_____
Juckette	<u>X</u>	_____	_____
Putney	<u>X</u>	_____	_____
Rielly	<u>X</u>	_____	_____
Stutsman	<u>X</u>	_____	_____
Yanney	<u>X</u>	_____	_____

D-2022-2

Commissioner Fehrman made a motion to approve the minutes as written.  
Commissioner Yanney seconded the motion. Motion passed unanimously.

Commission Comments

DOT Comments

DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER

Division/Bureau/Office Motor Vehicle Division Order No. MV-2022-3  
 Submitted by Melissa Gillett Phone No. 515-237-3010 Meeting Date July 13, 2021  
 Title Administrative Rules — 761 IAC 400, Vehicle Registration and Certificate of Title

**DISCUSSION/BACKGROUND:**

This proposed rule making conforms subrule 400.52(3) with 2020 Iowa Acts, Senate File 2091, which amended Iowa Code section 321.71 related to odometer disclosure statements.

A complete summary explaining the proposed amendment is included in the attached Notice of Intended Action.

The public comment period ended on June 8, 2021. The department did not receive any public comments or requests for oral presentations.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended that the Commission approve the rule amendment included in the attached Notice of Intended Action.

**COMMISSION ACTION:**

Moved by Sally Stutsman Seconded by Tom Rielly

	Aye	Vote Nay	Pass
Arnold	<u>X</u>	_____	_____
Fehrman	<u>X</u>	_____	_____
Juckette	<u>X</u>	_____	_____
Putney	<u>X</u>	_____	_____
Rielly	<u>X</u>	_____	_____
Stutsman	<u>X</u>	_____	_____
Yanney	<u>X</u>	_____	_____

\_\_\_\_\_  
Division Director                      Legal                      State Director

MV-2022-3

Stu Anderson for Melissa Gillett, Motor Vehicle Division Director; The proposed amendments to chapter 400 conform with federal and state legislation related to odometer disclosure statements. Beginning January 1, 2021 a vehicle seller is required to disclose the odometer mileage for any vehicle that is a 2011 model year or newer. Beginning January 1, 2031, a vehicle that is less than 20 model years old will require an odometer disclosure.

It is recommended that the Commission approve this conforming change to chapter 400.

Commissioner Stutsman made a motion to approve the amendments to chapter 400. Commissioner Rielly seconded the motion. Motion passes unanimously.

**TRANSPORTATION DEPARTMENT[761]**

**Notice of Intended Action**

**Proposing rule making related to odometer disclosure statements  
and providing an opportunity for public comment**

The Transportation Department hereby proposes to amend Chapter 400, “Vehicle Registration and Certificate of Title,” Iowa Administrative Code.

*Legal Authority for Rule Making*

This rule making is proposed under the authority provided in Iowa Code sections 307.12 and 321.71.

*State or Federal Law Implemented*

This rule making implements, in whole or in part, Iowa Code section 321.71.

*Purpose and Summary*

The proposed amendment to Chapter 400 conforms subrule 400.52(3) with 2020 Iowa Acts, Senate File 2091, which amended Iowa Code section 321.71 related to odometer disclosure statements. Senate File 2091 became effective January 1, 2021.

Federal and Iowa law require odometer disclosure upon transfer of a vehicle to prevent odometer fraud and ensure that all parties are aware of the mileage on a vehicle. Prior to January 1, 2021, a vehicle seller was required to disclose the odometer mileage for any vehicle that was less than ten model years old when transferring the vehicle. However, federal regulations as adopted in Iowa Code section 321.71 now require odometer disclosure statements for the transfer of a vehicle that is less than 20 model years old, beginning with vehicles from the 2011 model year (49 CFR Section 580.17).

This requirement put into place the following scenarios:

1. For a vehicle transfer that occurs through December 31, 2030, any vehicle of model year 2011 or newer will require odometer disclosure.
2. For a vehicle transfer that occurs on or after January 1, 2031, any vehicle that is less than 20 model years old will require odometer disclosure. The model year formula for odometer statements will be the current year minus 20. For example, if the calendar year is 2033 and the car model year is 2013, the car is 20 model years old and therefore is not subject to odometer disclosure.

This requirement is for all transfers of vehicles, whether through sale at a licensed dealer, private sale, operation of law transfer, or other method. However, any vehicle that is currently exempt from odometer disclosure under federal or Iowa law based on any reason other than model year will remain exempt. This includes the provision in 49 CFR Section 580.17(a)(1) that exempts any vehicle having a gross vehicle weight rating of more than 16,000 pounds.

*Fiscal Impact*

This rule making has no fiscal impact to the State of Iowa as there is no fee associated with submitting a required odometer disclosure statement.

*Jobs Impact*

After analysis and review of this rule making, no impact on jobs has been found.

*Waivers*

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 761—Chapter 11.

### *Public Comment*

Any interested person may submit written comments concerning this proposed rule making or may submit a written request to make an oral presentation at a public hearing. Written comments or requests to present oral comments in response to this rule making must be received by the Department no later than 4:30 p.m. on June 8, 2021. Comments should be directed to:

Tracy George  
Department of Transportation  
DOT Rules Administrator, Government and Community Relations  
800 Lincoln Way  
Ames, Iowa 50010  
Email: [tracy.george@iowadot.us](mailto:tracy.george@iowadot.us)

### *Public Hearing*

If requested, a public hearing to hear oral presentations will be held on June 10, 2021, via conference call from 10 to 11 a.m. Persons who wish to participate in the conference call should contact Tracy George before 4:30 p.m. on June 8, 2021, to facilitate an orderly hearing. A conference call number will be provided to participants prior to the hearing.

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact Tracy George, the Department's rules administrator, and advise of specific needs.

The public hearing will be canceled without further notice if no presentation is requested.

### *Review by Administrative Rules Review Committee*

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Amend subrule 400.52(3) as follows:

**400.52(3) A** As required by 49 CFR Section 580.17, for vehicle transfers that occur through December 31, 2030, any vehicle that is model year 2011 or newer shall require an odometer disclosure statement. For vehicle transfers that occur on or after January 1, 2031, the model year formula for odometer disclosure statements shall be the current year minus ~~ten~~ 20. The resulting number represents the first model year for which a motor vehicle is exempt from the odometer statement requirements incident to a transfer.

**DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER**

Division/Bureau/Office Transportation Development Division  
Location and Environment Bureau Order No. TD-2022-4  
 Submitted by Gary Harris Phone No. 515-239-1459 Meeting Date July 13, 2021  
 Title I-380 Linn and Johnson Counties Corridor Preservation Zone (CPZ) -- New

**DISCUSSION/BACKGROUND:**

The department is developing an overall improvement strategy for I-380 from Iowa City to Cedar Rapids to improve safety and capacity of the interstate to meet future travel demands. Some portions of I-380 are already programmed for expansion to six lanes as identified in the vision plan of the I-380 Planning and Environmental Linkage (PEL) Study.

Development adjacent to I-380 in Linn and Johnson counties is increasing and there are several areas that have high potential for growth in the near future with increased commercial, industrial, and residential development along the corridor. Establishing this CPZ will help preserve the necessary right of way for future expansion of I-380.

The area of the corridor preservation zone is adjacent to I-380 in Linn and Johnson counties extending from approximately one mile north of Forevergreen Road in North Liberty to U.S. 30 in Cedar Rapids and is shown on the attached map. All procedures per Iowa Code 306.19 will be followed to implement corridor preservation. If a decision is made to acquire property within the corridor preservation zone, the department will use emergency and contingency funds in the Five-Year Program or funds that are programmed for project right of way acquisition. Commission approval of this corridor preservation will provide condemnation authority for the department within this area.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission establish the implementation of corridor preservation along I-380 in Linn and Johnson counties from one mile north of Forevergreen Road in North Liberty to U.S. 30 in Cedar Rapids.

**COMMISSION ACTION:**

Moved by Kathy Fehrman Seconded by Tom Rielly

	Aye	Vote Nay	Pass
Arnold	_____	_____	_____
Fehrman	_____	_____	_____
Juckette	_____	_____	_____
Putney	_____	_____	_____
Rielly	_____	_____	_____
Stutsman	_____	_____	_____
Yanney	_____	_____	_____

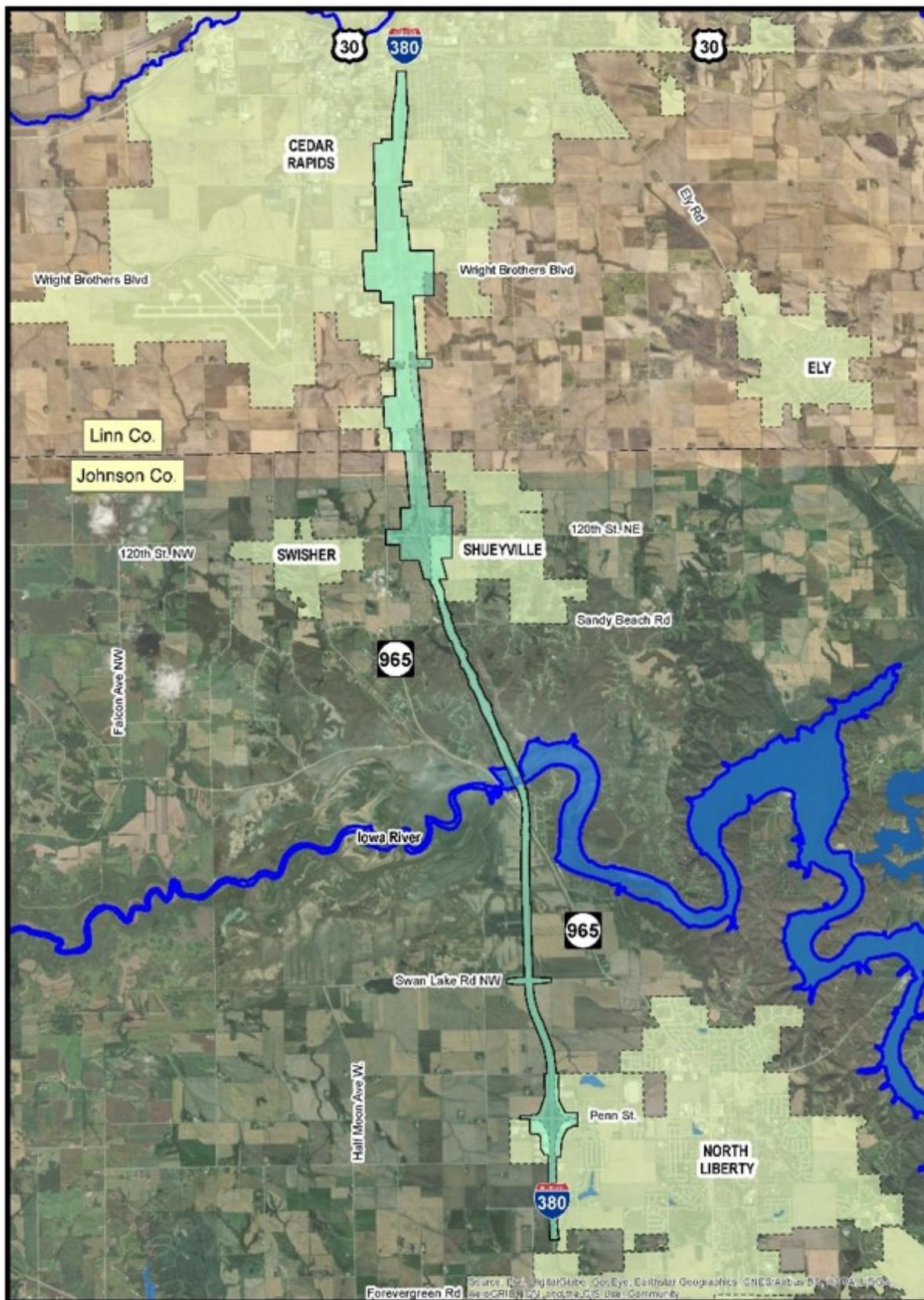
\_\_\_\_\_  
 Division Director                      Legal                      State Director

TD-2022-4

Stu Anderson for Gary Harris, Transportation Development Division - Location and Environment Bureau; Gary presented this to you initially several months ago, and then this went out for public comment, a 60 day public comment period. Last month, Gary presented the results of that public comment period to you for your information prior to seeking action today. The first one is regarding I380 in Lynn and Johnson countys. Development adjacent to I380 in Lynn and Johnson counties is increasing and there are several areas that have high potential for growth in the near future with increased commercial, industrial and residential development along the corridor. Establishing this zone will help preserve the necessary right away for future expansion of I-380.

It is recommended that the Commission establish the implementation of corridor preservation along I-380 in Linn and Johnson counties from one mile north of Forevergreen Road in North Liberty to U.S. 30 in Cedar Rapids.

Commissioner Fehrman made a motion to approve establish the implementation of corridor preservation along I-380 in Linn and Johnson counties from one mile north of Forevergreen Road in North Liberty to U.S. 30 in Cedar Rapids. Commissioner Rielly seconded the motion. Motion passes unanimously.



Created January 2021

Scale: 0 to 1 mile

**Legend**

- Corridor Preservation Zone
- Major Streams
- Major Lakes
- County Borders
- City Limit Boundaries

**CORRIDOR PRESERVATION MAP**

IM-380-6(332)8--13-52  
 1.0 mile N. of Forevergreen Rd to S. of US 30  
 Johnson County, Iowa

**DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER**

Division/Bureau/Office Transportation Development Division  
Location and Environment Bureau Order No. TD-2022-5  
 Submitted by Gary Harris Phone No. 515-239-1459 Meeting Date July 13, 2021  
 Title I-80 Dallas County Corridor Preservation Zone (CPZ) -- New

**DISCUSSION/BACKGROUND:**

The department is developing an overall improvement strategy for I-80 across Iowa to improve safety and capacity of the interstate to meet future travel demands. Some portions of I-80 are already programmed for expansion to six lanes as identified in the vision plan of the I-80 Planning and Environmental Linkage (PEL) Study.

Development adjacent to I-80 in Dallas County is increasing and there are several areas that have high potential for growth in the near future. The areas west of the Des Moines metropolitan area are experiencing increased development. Establishing this CPZ will help preserve the necessary right of way for future expansion of I-80.

The area of the corridor preservation zone is adjacent to I-80 in Dallas County extending from just west of to just east of the U.S. 169 interchange at De Soto, as shown on the attached map. All procedures per Iowa Code 306.19 will be followed to implement corridor preservation. If a decision is made to acquire property within the corridor preservation zone, the department will use emergency and contingency funds in the Five-Year Program or funds that are programmed for project right of way acquisition. Establishment of this corridor preservation will provide condemnation authority for the department within this area.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended the Commission establish the implementation of corridor preservation along I-80 in Dallas County near the U.S. 169 interchange at De Soto, Iowa.

**COMMISSION ACTION:**

Moved by Charese Yanney Seconded by Rich Arnold

	Aye	Vote Nay	Pass
Arnold	_____	_____	_____
Fehrman	_____	_____	_____
Juckette	_____	_____	_____
Putney	_____	_____	_____
Rielly	_____	_____	_____
Stutsman	_____	_____	_____
Yanney	_____	_____	_____

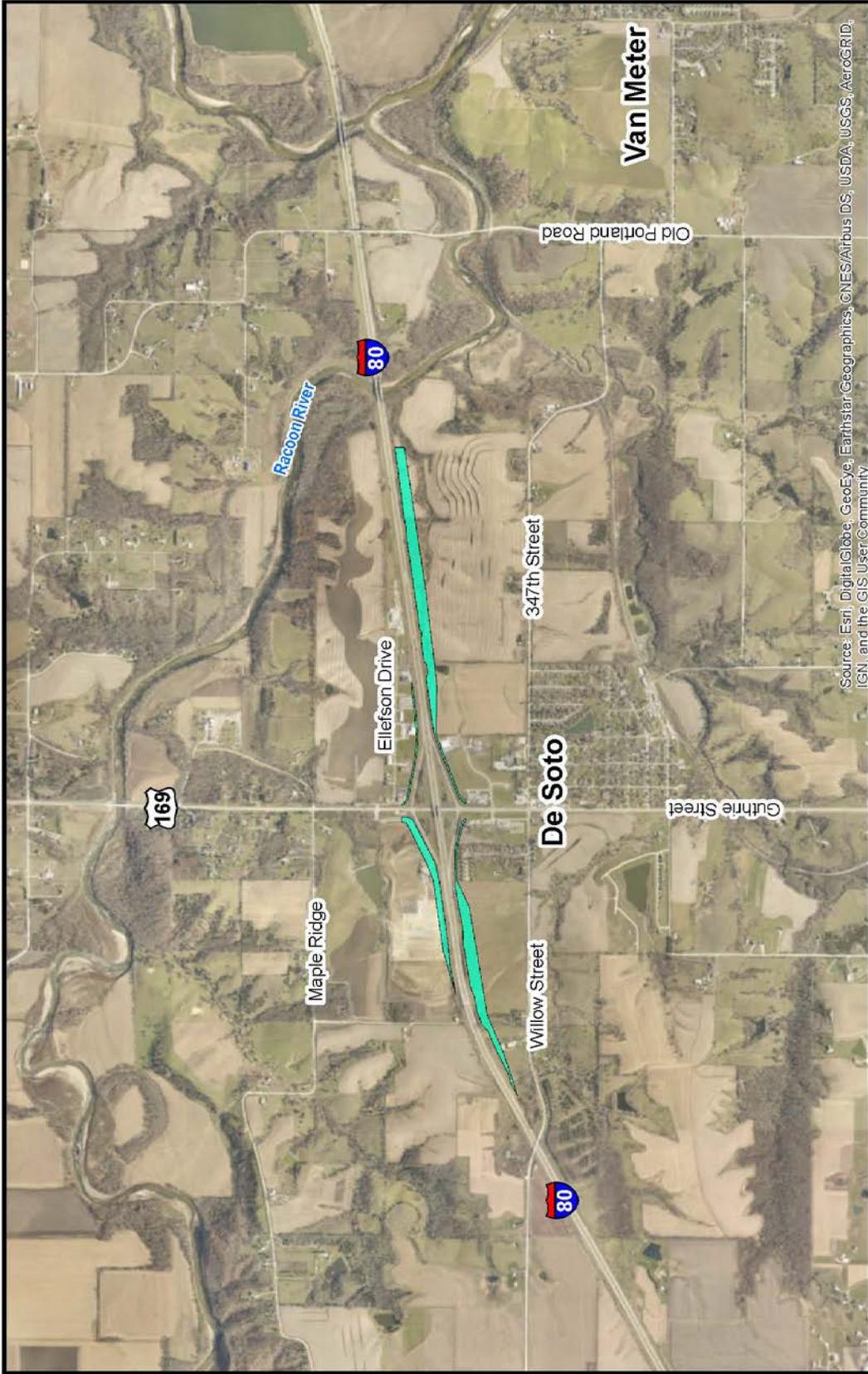
\_\_\_\_\_  
 Division                      Legal                      State Director  
 Director

TD-2022-5

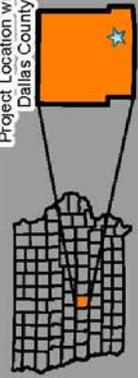
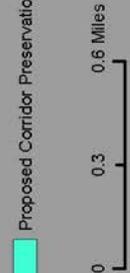
Stu Anderson for Gary Harris, Transportation Development Division - Location and Environment Bureau; A development adjacent I-80 in Dallas county is also increasing and there are several areas that have high potential for growth in the near future. The areas west of the Des Moines metropolitan area are experiencing increased development and establishing this zone will help preserve the necessary right away for future expansion of I-80.

It is recommended that the Commission establish the implementation of corridor preservation along I-80 in Dallas near the U.S.169 interchange at De Soto, Iowa.

Commissioner Yanney made a motion to approve establish the implementation of corridor preservation along I-80 in Dallas near the U.S.169 interchange at De Soto, Iowa. Commissioner Arnold seconded the motion. Motion passes unanimously.



Source: Esri, DigitalGlobe, GeoEye, Earthstar/Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

 <p>Created: 2/16/2021</p>	 <p>Project Location within Dallas County</p>	 <p>Proposed Corridor Preservation Zone</p>	<p><b>Proposed Corridor Preservation</b> IM-080-3(245)113--13-25</p> <p>Interstate 80 Dallas County, Iowa</p>
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**DEPARTMENT OF TRANSPORTATION  
COMMISSION ORDER**

Division/Bureau/Office Field Operations Division Order No. FO-2022-6  
 Submitted by Mitchell J. Dillavou Phone No. 515-239-1124 Meeting Date July 13, 2021  
 Title Transfer of Jurisdiction of U.S. 61, a length of approximately 1.57 miles.

**DISCUSSION/BACKGROUND:**

District 5 has negotiated the transfer of jurisdiction of portions of U.S. 61 to Des Moines County and the city of Mediapolis. Segments totaling 1.57 miles will be transferred to the county and the city. See Exhibit A.

The road segments are to be transferred in their present condition. The state shall transfer funds to the county and city in the amount of \$1,175,000, which represents the estimated cost to bring the road segments into good repair. The transfer will take place upon receipt of the initial payment from the state and upon written notification to the local public agencies of the time and date of the state's intention to transfer.

The state will prepare and forward quitclaim deeds to the county and city for the transfer segment.

**PROPOSAL/ACTION RECOMMENDATION:**

It is recommended that the Commission approve this transfer of jurisdiction.

**COMMISSION ACTION:**

Moved by Tom Rielly Seconded by Kathy Fehrman

\_\_\_\_\_  
Division Director                      Legal                      State Director

	Aye	Vote Nay	Pass
Arnold	x	_____	_____
Fehrman	x	_____	_____
Juckette	x	_____	_____
Putney	x	_____	_____
Rielly	x	_____	_____
Stutsman	x	_____	_____
Yanney	x	_____	_____

FO-2022-6

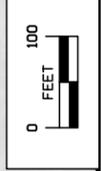
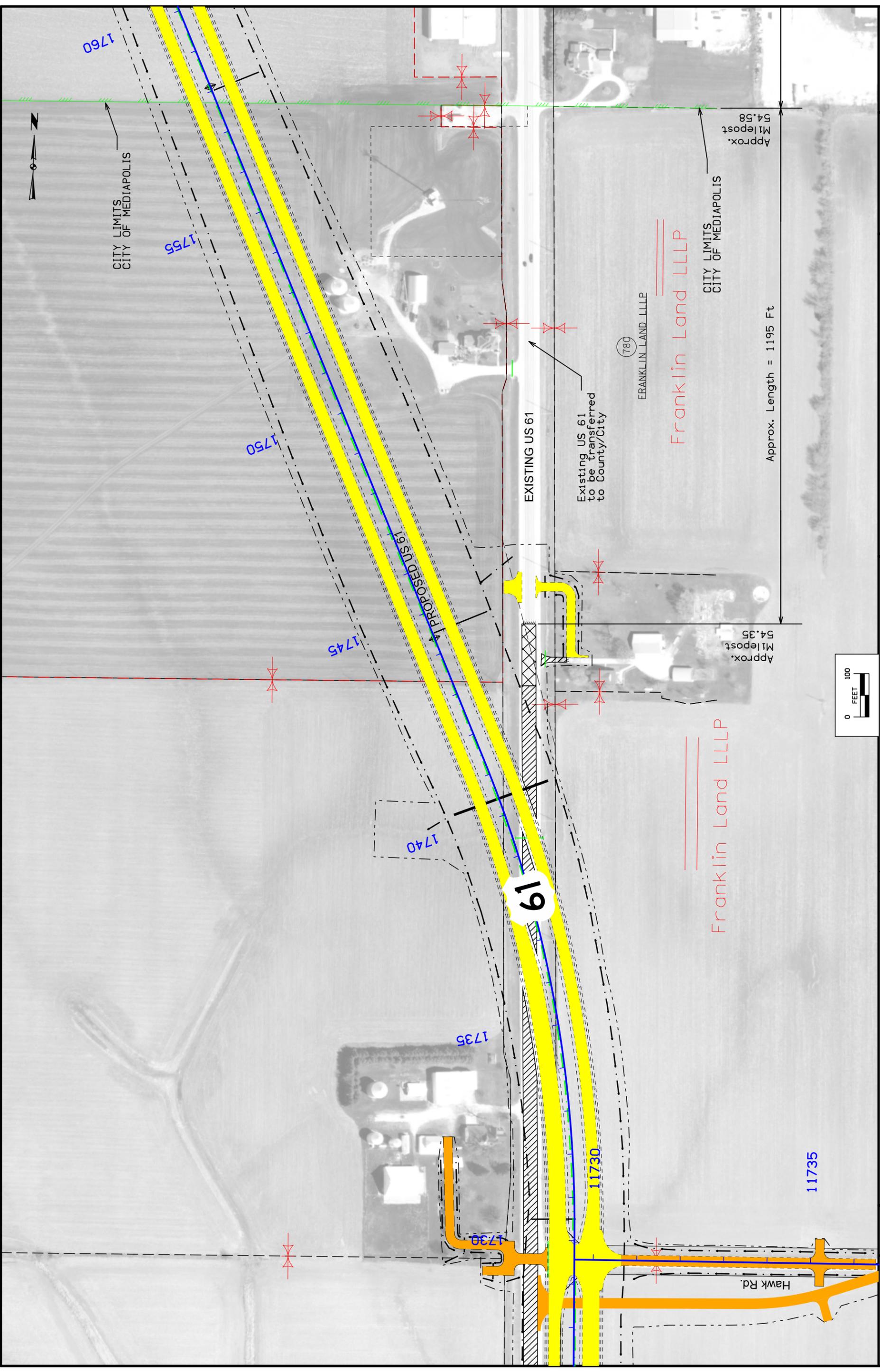
Mitchell Dillavou, Field Operations Division, Chief Engineer; The Iowa DOT District 5 office has negotiated the transfer of jurisdiction of portions of U.S. 61 to Des Moines County and the city of Mediapolis.

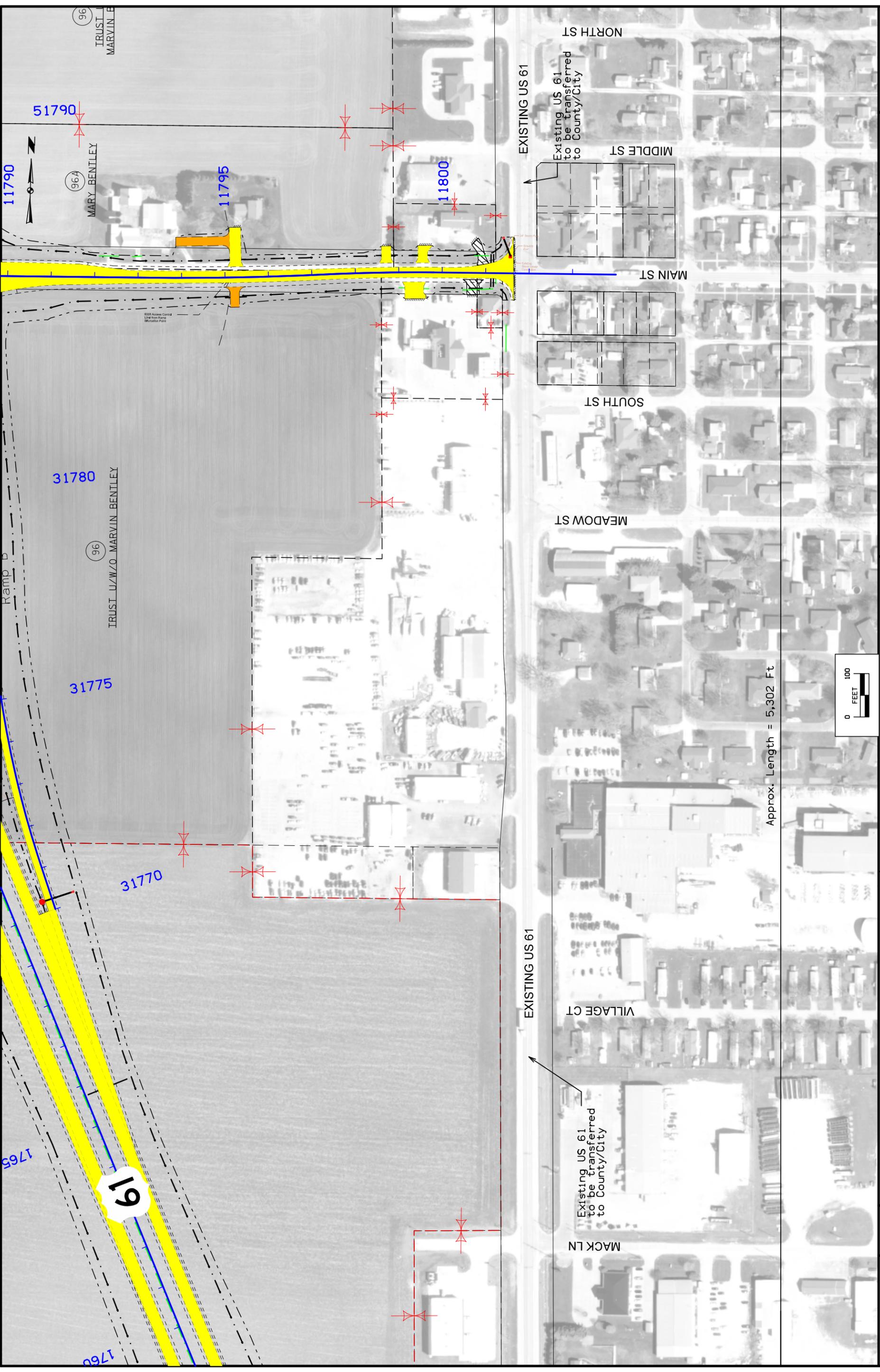
The road segments are to be transferred in their present condition. The state shall transfer funds to the county and city in the amount of \$1,175,000, which represents the estimated cost to bring the road segments into good repair. The transfer will take place upon receipt of the initial payment from the state and upon written notification to the local public agencies of the time and date of the state's intention to transfer.

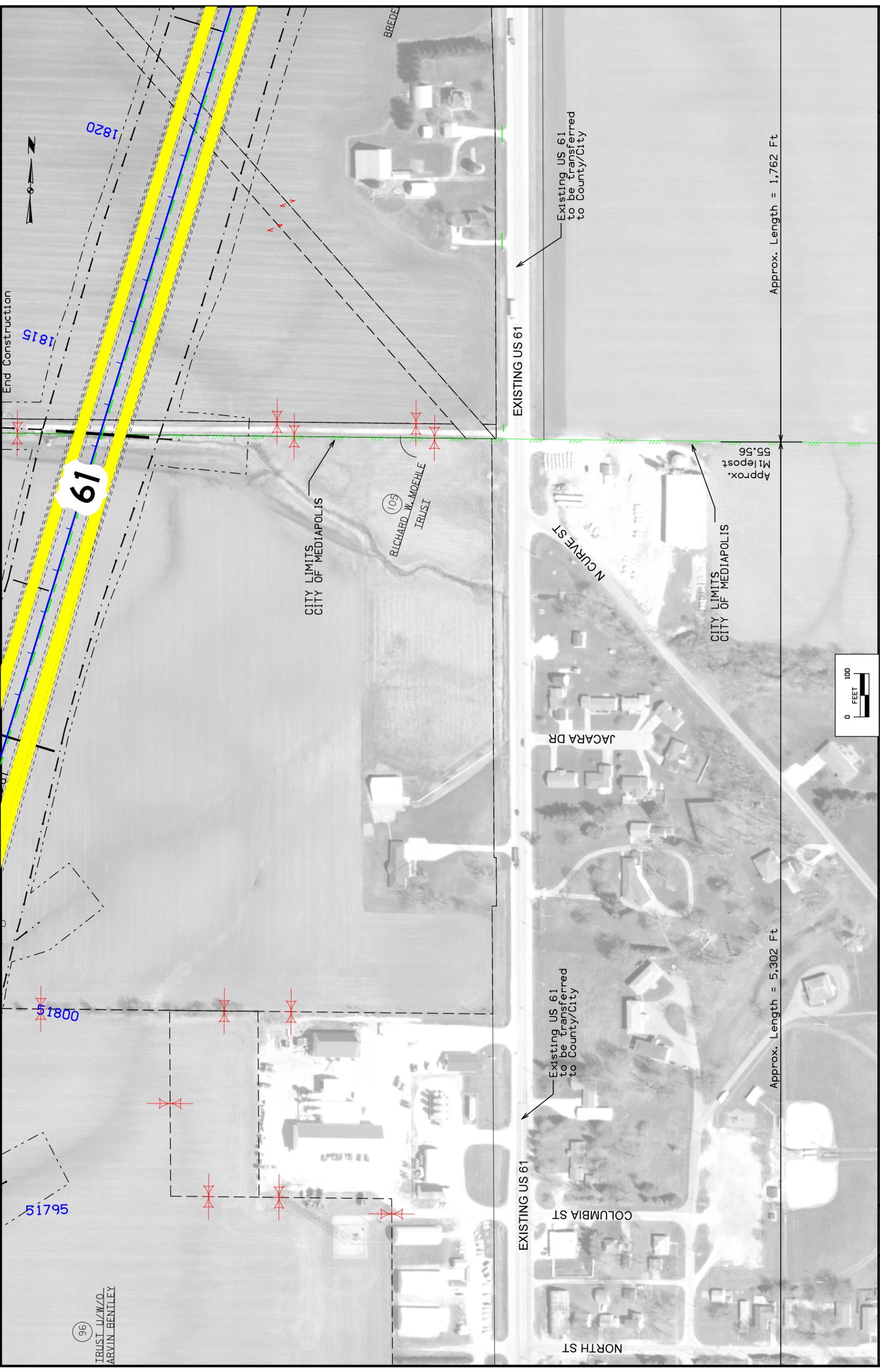
The state will prepare and forward quitclaim deeds to the county and city for the transfer segment.

It is recommended that the Commission approve this transfer of jurisdiction.

Commissioner Rielly made a motion to approve the transfer of jurisdiction as presented. Commissioner Fehrman seconded the motion. Motion passes unanimously.







End Construction

1815  
1820

61

51800  
51810

56115

(96)  
TRUST U/W/O  
ARVIN BENTLEY

CITY LIMITS  
CITY OF MEDIAPOLIS

(105)  
RICHARD W. MOEHLE  
TRUST

BREDE

EXISTING US 61

Existing US 61  
to be transferred  
to County/City

Approx. Length = 1,762 Ft

N CURVE ST

CITY LIMITS  
CITY OF MEDIAPOLIS

Approx.  
Milepost  
55.56

JACARA DR

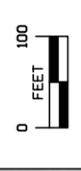
EXISTING US 61

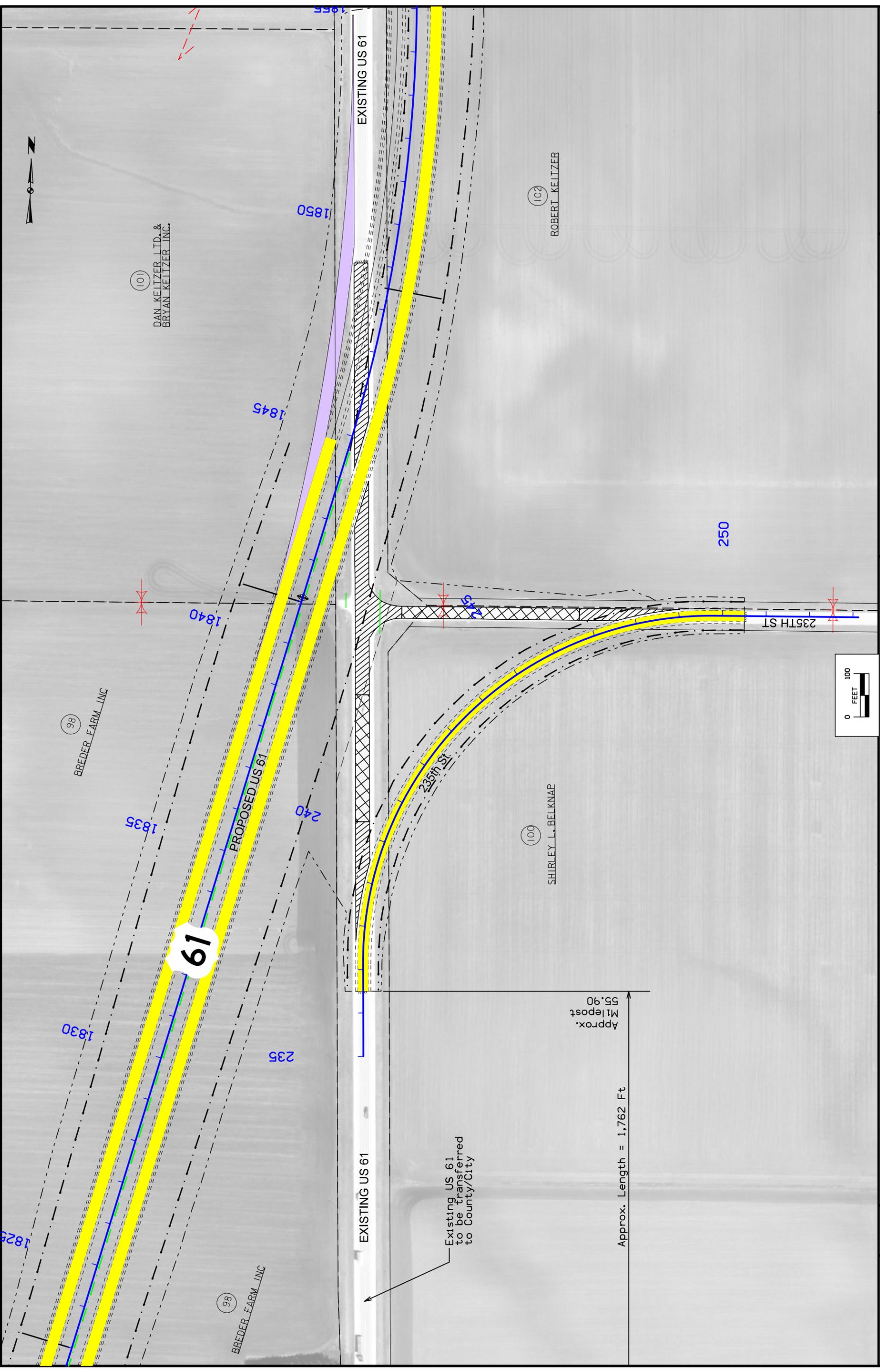
Existing US 61  
to be transferred  
to County/City

Approx. Length = 5,302 Ft

COLUMBIA ST

NORTH ST





Approx. Length = 1,762 Ft  
 Approx. Milepost 55.90